

# EXHIBIT NN

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16  
17 **UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**

18 JESSE REYES, DANIEL REYNOSO, LEAGUE  
19 OF UNITED LATIN AMERICAN CITIZENS,  
20 LATINO COMMUNITY FUND OF  
WASHINGTON

Case No.: 4:21-cv-05075-MKD

21 Plaintiffs,  
22 vs.  
23 BRENTA CHILTON, et al.  
24 Defendants.  
25  
26

**PLAINTIFF LEAGUE OF UNITED LATIN AMERICAN CITIZENS' AMENDED AND SUPPLEMENTAL RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST INTERROGATORIES**

1 García submitted on January 5, 2023. *See* ECF 79-3 at 9,19-30, 43-48. Plaintiff also refers  
 2 Defendants to the expert report of Professor Josué Estrada. *See* Estrada, Josué at 45-63.

3 Plaintiff directs Defendants to the following Declarations: Elvia Lopez, Plaintiffs\_167348-  
 4 Plaintiffs\_167351; Dora Alvarez Roa, Plaintiffs\_168169\_168171; Pablo Alcantar,  
 5 Plaintiffs\_168500-Plaintiffs\_168503; Joel Torres, Plaintiffs\_167345-Plaintiffs\_167347; Maricela  
 6 Sanchez, Plaintiffs\_168388-Plaintiffs\_168393; Marissa Reyes, Plaintiffs\_168507-Plaintiffs\_168509;  
 7 Erika Reyes, Plaintiffs\_169300\_Plaintiffs\_169304; Arlette Lopez Rodriguez, Plaintiffs\_168457-  
 8 Plaintiffs\_168459; and to the letter from the American Civil Liberties Union of Washington,  
 9 Plaintiffs\_128149-Plaintiffs\_128151. Plaintiffs refer Defendants to advocacy work of the Latino  
 10 Community Fund: Plaintiffs\_126969-Plaintiffs\_126974; Plaintiffs\_127205-Plaintiffs\_127209;  
 11 Plaintiffs\_126939-Plaintiffs\_126950; Plaintiffs\_126957-Plaintiffs\_126962; Plaintiffs\_126952-  
 12 Plaintiffs\_126956; Plaintiffs\_127099. Further, Plaintiff believes that further witness testimony,  
 13 including deposition testimony, will provide facts in support of Plaintiff's claims.

14

15 **INTERROGATORY NO. 14:**

16 Please describe fully the terms of the injunction you seek against each of Benton County,  
 17 Chelan County, and Yakima County.

18 **RESPONSE:**

19 Plaintiff objects to this interrogatory on the grounds that it is overbroad, burdensome and  
 20 premature at this stage in the litigation. *See In re eBay Seller Antitrust Litig.*, No. C 07-1882, 2008  
 21 WL 5212170, at \*2 (N.D. Cal. Dec. 11, 2008); *In re Convergent Securities Litig.*, 108 F.R.D. 328,  
 22 332-38 (N.D. Cal. 1985); *See also Olson v. City of Bainbridge Island*, No. C08-5513RJB, 2009 WL  
 23 1770132, at \*4 (W.D. Wash. June 18, 2009) (upholding “overly broad” objection to contention  
 24 interrogatory which requested “all facts and all evidence” supporting a particular allegation); *See*  
 25 *also Advocare Int'l, L.P. v. Scheckenbach*, No. C08-5332 RBL, 2009 WL 3064867, at \*1 (W.D.  
 26 Wash. Sept. 24, 2009) (“Numerous federal courts have held that contention interrogatories which  
 27 systematically track all of the allegations in an opposing party's pleadings, and that ask for each and

1 every fact and application of law to fact that supports the party's allegations are an abuse of the  
2 discovery process because they are overly broad and unduly burdensome.") (internal quotations  
3 omitted). Plaintiff also objects to the interrogatory on the grounds that it calls for expert testimony  
4 prior to the deadline of the exchange of expert reports in violation of Fed. R. Civ. P. 26.

5 Subject to and without waiving the foregoing objections, Plaintiff responds as follows:  
6 Plaintiff expects that materials in forthcoming expert reports will be responsive. Plaintiff intends to  
7 provide a response to this interrogatory by January 20, 2023 assuming discovery deadlines do not  
8 change. Should additional information surface in light of continuing discovery obligations, Plaintiff  
9 reserves the right to supplement or respond thereafter.

10 **SUPPLEMENTAL RESPONSE:**

11 Plaintiff is seeking a permanent injunction against Benton, Chelan, and Yakima Counties that  
12 would declare the application of the signature verification process RCW 29A.40.110 violative of the  
13 United States Constitution and of Section 2 of the Federal Voting Rights Act, 52 U.S.C. § 10301.  
14 Plaintiff seeks to enjoin Defendants, their agents and successors, and all persons acting in concert  
15 with, or as agents of, any Defendants from implementing RCW 29A.40.110 and WAC 434-261-050  
16 in future elections.

17  
18 **INTERROGATORY NO. 15:**

19 If you contend that an in-person voting regime, such as was commonly found in 1982,  
20 imposed fewer burdens on participation by Latinx voters than does a vote-by-mail regime in which  
21 voter identity is confirmed by matching the signature on the ballot declaration with the signature in  
22 the voter registration file, please describe fully Your basis for this contention.

23 **RESPONSE:**

24 Plaintiff objects to this interrogatory on the grounds that it does not accurately reflect  
25 Plaintiff's contentions. Plaintiff objects to this interrogatory on the grounds that it is overbroad,  
26 burdensome and premature at this stage in the litigation. *See In re eBay Seller Antitrust Litig.*, No. C  
27 07-1882, 2008 WL 5212170, at \*2 (N.D. Cal. Dec. 11, 2008); *In re Convergent Securities Litig.*, 108

1 totality of circumstances test, failure to provide this information contributes to discrimination against  
2 Latino voters.

3

4 **INTERROGATORY NO. 17 [erroneously identified as No. 16]:**

5 Please describe the efforts of Your members who are registered to vote in any of Benton  
6 County, Chelan County, or Yakima County to vote in-person, during elections in the past five years,  
7 at the election's office of the county in which the member was registered for that election.

8 **RESPONSE:**

9 Plaintiff objects on the grounds that the interrogatory is vague and ambiguous as to the term  
10 "efforts" and "members" as it is not specific as to the types of "efforts" for which Defendants seek  
11 information and "members" is not defined and could include a multitude of different groups of  
12 people, ranging, for example, from those who may have signed up for email updates from Plaintiff to  
13 those who have organizational voting rights. Plaintiff further objects on the grounds that the  
14 interrogatory is overbroad, burdensome, oppressive, and not proportional to the needs of the case  
15 because it requires Plaintiff to describe the efforts of all of its member to vote in-person. Plaintiff  
16 also objects to the interrogatory the extent Defendants have exclusive or equal access to such  
17 information and/or to the extent the requested information is publicly available.

18 **SUPPLEMENTAL RESPONSE:**

19 Plaintiff does not assist voters to vote in-person in the Defendant counties. Plaintiff assists  
20 voters who vote by-mail as Washington State conducts all its elections by a mail-in voting regime.

21 Dated: May 1, 2023

22 /s/ Mark Troutman

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**VERIFICATION OF INTERROGATORY ANSWERS**

I, Gabriel Portugal, am the State Director of Washington LULAC and as such I am authorized to make this verification. I declare that I have read and know the contents of the foregoing **Plaintiff League of United Latin American Citizens' Amended and Supplemental Responses and Objections to Defendant's First Interrogatories** and believe them to be true and correct.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 4th day of May 2023, at Pasco, Washington.  
(City, State)

*Gabriel Portugal*

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Gabriel Portugal

# Signature Certificate

Reference number: QDZG8-8RQH5-7AIFU-NDUGO

Signer	Timestamp	Signature
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